

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SOUTHPORT BANK,)	
)	
Plaintiff,)	
)	Case No.: 10-cv-8321
v.)	
)	Judge John W. Darrah
CHARLES V. MILES, RANDOLPH S. MILES)	
and GOEKEN GROUP CORP.,)	
)	
Defendants.)	

**SOUTHPORT BANK'S MOTION FOR JUDGMENT
AS A MATTER OF LAW AND
RENEWED MOTION AFTER TRIAL AGAINST
DEFENDANT, GOEKEN GROUP CORP.**

Plaintiff, Southport Bank ("Southport"), by and through its counsel, Bruce R. Meckler, Steven D. Pearson and Mitchell J. Edlund hereby moves pursuant to Fed. R. Civ. P. 50 for Judgment as a Matter of Law and Renewed Motion after Trial against Goeken Group Corp.

In support, Southport states as follows:

1. A jury trial was held in this matter from October 21, 2013 to October 25, 2013 resulting in a jury verdict against Defendants Charles Miles and Randolph Miles. The jury returned a verdict in favor of Defendant Goeken Group Corp. (Dkt. #206)

2. During the course of trial, Southport timely moved for judgment as a matter of law pursuant to Fed. R. Civ. P. 50(a) at the close of the evidence of each defendant's case. That motion was again renewed upon the completion of all evidence of all defendants. (October 24, 2013 Transcript of Trial Proceedings, 12:20 p.m., pg. 43, attached hereto as Exhibit A.)

3. In each instance, the court heard argument and determined that it would take each such motions under advisement and allowed the claims against each defendant to proceed to verdict.

4. Pursuant to Fed. R. Civ. P. 50(b), “[i]f the court does not grant a motion for judgment as a matter of law made under Rule 50(a), the court is considered to have submitted the action to the jury subject to the court’s later deciding the legal questions raised by the motion.”

WHEREFORE, Plaintiff, Southport Bank, pursuant to Fed. R. Civ. P. 50(b)(3), respectfully requests for the reasons set forth in the accompanying memorandum of law that this Court direct the entry of judgment as a matter of law against defendant Goeken Group Corp. and in favor of Southport Bank in the amount of \$4,000,000, including all accrued and unpaid interest thereon.

Dated: October 30, 2013

SOUTHPORT BANK

By: /s Steven D. Pearson

Bruce R. Meckler (No. 6181171)
Steven D. Pearson (No. 6190506)
Mitchell J. Edlund (No. 6229190)
MECKLER BULGER TILSON MARICK & PEARSON LLP
123 N. Wacker Drive, Suite 1800
Chicago, IL 60606
Tel: (312) 474-7900
Fax: (312) 474-7898

Michael L. Ralph, Sr.
David J. Schwab
Joel H. Norton
RALPH, SCHWAB & SCHIEVER, CHTD.
175 E. Hawthorn Parkway, Suite 345
Vernon Hills, IL 60061
Tel: (847) 367-9699
Fax: (847) 367-9621

CERTIFICATE OF SERVICE

I, Steven D. Pearson, an attorney, hereby certify that on October 30, 2013, I filed the foregoing document electronically, via Electronic Case Filing (ECF), which shall send notice to all counsel of record.

_____/s/ Steven D. Pearson

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